

IN RE: PETITION FOR ZONING VARIANCE
SE/S Roland Court opposite
the c/l of Ruxton Hill Road
(11 Roland Court)
9th Election District
4th Councilmanic District
Victor Khouzami, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-37-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit an existing accessory structure (pool house) height of 20 feet in lieu of the maximum permitted height of 15 feet as more particularly described in Petitioner's Exhibit 1.

The Petitioner, by Mr. Khouzami, appeared and testified. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 30th day of August, 1988 that the Petition for Variance

to permit an existing accessory structure (pool house) height of 20 feet in lieu of the maximum permitted height of 15 feet, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The pool house shall contain no sleeping quarters and no kitchen facilities.

JRH:bjs

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner for
Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 27, 1988
THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on July 27, 1988

TOWSON TIMES,

S. Zafe Orlan
Publisher

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th Date of Posting: August 4, 88
Posted for: *Nazima*
Petitioner: *Victor Khouzami, et ux*
Location of property: *SE/S of Roland Court opposite the c/l of Ruxton Hill Road (11 Roland Court)*
Location of Sign: *Corner front of 111 Roland Court*
Remarks: *J. J. Orlan*
Posted by: *J. J. Orlan* Date of return: August 14, 88
Number of Signs: 1

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-5553
J. Robert Haines
Zoning Commissioner

August 30, 1988

Mr. & Mrs. Victor Khouzami
11 Roland Court
Ruxton, Maryland 21204

RE: PETITION FOR ZONING VARIANCE
SE/S Roland Court opposite the c/l of Ruxton Hill Road
9th Election District - 4th Councilmanic District
Case No. 89-37-A

Dear Mr. & Mrs. Khouzami:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. Please contact Ms. Charlotte Radcliffe on Ext. 3391 for further information on filing an appeal.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: People's Counsel

File

SPPELLMAN, LARSON
& ASSOCIATES, INC.

SUITE 107 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
823-3535

ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON
HENRY M. ADLER
ALFRED J. JUNGERS, P.L.S.

DESCRIPTION FOR ZONING, LOT 31, PLAT THREE, SECTION TWO,
BRIDLESHIRE, 9TH DISTRICT, BALTIMORE COUNTY, MARYLAND

Page 1

Beginning for the same at a point on the Southeast side of Roland Court, 40 feet wide, opposite the centerline of Ruxton Hill Road at the dividing line between Lot Nos. 31 and 32, all as shown on a Plat entitled Plat Three, Section Two, Bridleshire, said plat being recorded among the Plat Records of Baltimore County in Plat Book EHM Jr. No. 52, Folio 17 thence leaving the Southeast side of Roland Court and binding on said Lot line South 22 Degrees 38 Minutes 40 Seconds East 236.59 feet and South 59 Degrees 48 Minutes 20 Seconds West 121.05 feet to the dividing line between Lot Nos. 31 and 34 as shown on said plat and running thence and binding on said lot line South 51 Degrees 21 Minutes 40 Seconds West 112.35 feet to the dividing line between Lot Nos. 31 and 36 as shown on said plat thence binding on said lot line South 22 Degrees 38 Minutes 40 Seconds East 419.13 to the outline of the plat herein referred to and running thence and binding on said outline North 67 Degrees 46 Minutes 00 Seconds East 240.01 feet to the dividing line between Lot No. 31 and 30 as shown on said plat thence binding on said lot line North 22 Degrees

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PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-37-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 400.3 to allow for a height of 20' for an accessory building in lieu of the required 15'.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

The accessory building, which is a Pool House that was to be 12' in height to conform to the basic architecture of the main dwelling. To modify the structure to conform to the 15' height regulation would impose a significant hardship.

advertised as prescribed by Zoning Regulations.

f above Variance advertising, posting, etc., upon filing of this to be bound by the zoning regulations and restrictions of the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Victor Khouzami

(Type or Print Name)

Signature

M. L. Khouzami

(Type or Print Name)

Signature

11 Roland Ct.

Address

Ruxton, MD

City and State

821-9432

Phone No.

21204

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Joseph L. Larson (Spellman, Larson, Inc.)

105 W. Chesapeake Ave.

Towson, MD 21204

Address

823-3535

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 18th day of August, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 24th day of August, 1988, at 9 o'clock

A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County.

ESTIMATED LENGTH OF HEARING (1/2 hr.)
AVAILABLE FOR HEARING
ALL MON./TUES./WED. - NEXT TWO MONTHS (over)
OTHER

REVIEWED BY: *MJK/cc* DATE 5/11/88

SPPELLMAN, LARSON
& ASSOCIATES, INC.

SUITE 107 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
823-3535

ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON
HENRY M. ADLER
ALFRED J. JUNGERS, P.L.S.

DESCRIPTION FOR ZONING, LOT 31, PLAT THREE, SECTION TWO,
BRIDLESHIRE, 9TH DISTRICT, BALTIMORE COUNTY, MARYLAND

Page 2

38 Minutes 40 Seconds West 704.30 feet to the Southeast side of Roland Court herein referred to and running thence and binding on the Southeast side of Roland Court South 67 Degrees 21 Minutes 20 Seconds West 12.00 feet to the place of beginning.

Subject to the easements over Lot No. 31 as shown on the plat herein referred to.

Containing 2.53 acres of land, more or less.

5/18/88



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Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

Date: August 2, 1988



Dennis F. Rasmussen
County Executive

Mr. & Mrs. Victor Khouzani
11 Roland Court
Ruxton, Maryland 21204

Re: Petition for Zoning Variance
CASE NUMBER: 89-37-A
SE/S of Roland Court opposite the c/l of Ruxton Hill Road
(11 Roland Court)
9th Election District - 4th Councilmanic
Petitioner(s): Victor Khouzani, et ux
HEARING SCHEDULED: WEDNESDAY, AUGUST 24, 1988 at 9:00 a.m.

Dear Mr. & Mrs. Khouzani:

Please be advised that \$160.95 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 8/24/88 ACCOUNT: 89-37-A

AMOUNT: \$ 160.95

RECEIVED FROM: Victor Khouzani

FOR: B C12*****10055: 89-37-A

VALIDATION OR SIGNATURE OF CASHIER

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner



Dennis F. Rasmussen
County Executive

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-37-A
SE/S of Roland Court opposite the c/l of Ruxton Hill Road
(11 Roland Court)
9th Election District - 4th Councilmanic
Petitioner(s): Victor Khouzani, et ux
HEARING SCHEDULED: WEDNESDAY, AUGUST 24, 1988 at 9:00 a.m.

Variance to allow for a height of 20 feet for an accessory building in lieu of the required 15 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

June 22, 1988

Joseph L. Larson
SPELLMAN, LARSON & ASSOCIATES, INC.
Suite 107 - Jefferson Building
105 West Chesapeake Avenue
Towson, MD 21204



Dennis F. Rasmussen
County Executive

RE: Item #419
Case #89-37A
Scheduling Early Hearing Date

Dear Mr. Larson:

Thank you for your letter of May 20, 1988 to J. Robert Haines, Zoning Commissioner requesting an early hearing date, which has been referred to me for reply.

Your reasons for requesting an early hearing date and the hardships claimed appear to be valid reasons for this office to afford you every possible consideration regarding an expedient hearing and subsequent decision. I can assure you, that the Zoning Commissioner is dedicated to providing you with the earliest possible hearing date. Considering the enormous workload demands on this office and compliance with the time tables in the zoning law it is very difficult to change hearing dates.

At this time in the processing schedule, the tentative date would be August 9. Even if there would be time available earlier on the docket, there are required time frames and minimum processing times necessary to comply with the zoning law including posting and advertising which prevents an earlier date.

I regret any inconvenience that this approximate date may cause you, and I would emphasize that you have the earliest possible date at this time.

Very truly yours,

James E. Dyer
Zoning Supervisor

W. Carl Richards, Jr.
Zoning Coordinator

SPELLMAN, LARSON & ASSOCIATES, INC.

SUITE 107 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
823-3535

JOSEPH L. LARSON
JOSEPH L. LARSON
JOSEPH L. LARSON
JOSEPH L. LARSON



May 20, 1988

Mr. J. Robert Haines
Zoning Commissioner
Baltimore County
County Office Building
Towson, MD 21204

Re: 11 Roland Court
Item #419

Dear Mr. Haines:

This office has filed a Zoning Petition for a variance to the height requirement for an accessory building on the above-captioned property.

I wish to herewith respectfully request that we be afforded the courtesy of an early hearing due to the fact that the owner has been cited with a violation by the Buildings Engineer on this matter.

Mr. Joseph Nolan, the Assistant Building Engineer, has urged us to expedite this matter as quickly as possible in order for him to close the case with his office.

Whatever courtesies you could extend to this office with regard to this matter would be greatly appreciated.

Very truly yours,

SPELLMAN, LARSON & ASSOCIATES, INC.

Joseph L. Larson
Vice President

cc: Joseph Nolan
Victor Khouzani

RECEIVED
MAY 26 1988

ZONING OFFICE

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Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

June 7, 1988

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204



Dennis F. Rasmussen
County Executive

Re: Property Owner: Victor Khouzani, et ux

Location: SE/S Roland Ct. opp. c/l Ruxton Hill Road

Item No.: 419

Zoning Agenda: Meeting of 5/31/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature] Noted and
Planning Group
Special Inspection Division

Approved: [Signature]
Fire Prevention Bureau

/s/

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 17, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. & Mrs. Victor Khouzani
11 Roland Court
Ruxton, Maryland 21204

RE: Item No. 419 - Case No. 89-37-A
Petitioner: Victor Khouzani, et ux
Petition for Zoning Variance

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Dear Mr. & Mrs. Khouzani:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER

Chairman
Zoning Plans Advisory Committee

JED:dt

cc: Spellman, Larson & Associates, Inc.
Suite 107, Jefferson Bldg.
Towson, Maryland 21204

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3554

June 23, 1988



Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 418,
419 and 420.

Very truly yours,

Stephen E. Weber
Stephen E. Weber, P.E.
Assistant Traffic Engineer

SEW/RF/pml-b

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines, Zoning Commissioner Date: July 11, 1988
FROM: P. David Fields, Director Office of Planning and Zoning
SUBJECT: Zoning Petitions #89-35-A, 89-37-A, 89-38-A, 89-39-A, 89-40-A, 89-42-A, 89-43-A, 89-44-A, 89-47-A, 89-48-A, 89-49-A, 89-50-A, 89-54-A

There are no comprehensive planning factors requiring comment of the subject petitions.

P. David Fields
P. David Fields, Director
Office of Planning and Zoning

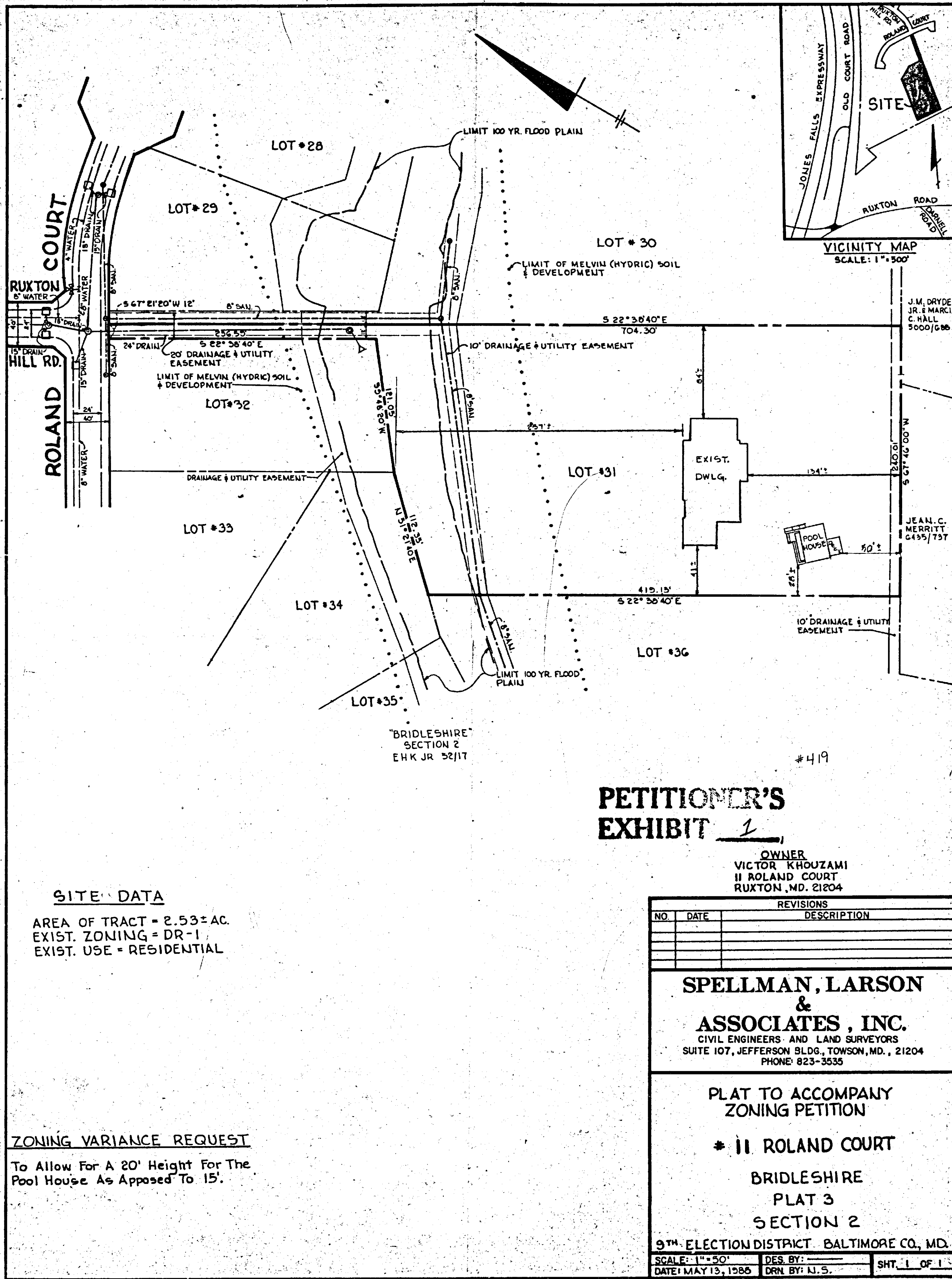
PDF/jat
cc: Shirley Hess, People's Counsel
J. G. Hoswell
Zoning File

RECEIVED
JUL 12 1988

ZONING OFFICE

cc: Mr. & Mrs. Victor Khouzami
7-12-88

CPS-008



SITE DATA

AREA OF TRACT = 2.53 ± AC.
EXIST. ZONING = DR-1
EXIST. USE = RESIDENTIAL

ZONING VARIANCE REQUEST

To Allow For A 20' Height For The Pool House As Apposed To 15'.